

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

IMPERIAL BEEF, LLC, a Nebraska limited liability company;

Plaintiff,

vs.

JOHN BOEHS and CHARLENE BOEHS, husband and wife; STATE OF NEBRASKA; THOUVENEL HARVESTING, LLC, a Montana Limited liability company; CHAD LUNDEEN; VALLEY BANK AND TRUST COMPANY, a bank incorporated by the laws of the State of Nebraska; WYOMING STATE BANK, a Wyoming corporation; and TRUSTEE ATTEBERY FAMILY TRUST;

Defendants.

4:18CV3053

ORDER

This matter is before the Court on a motion for settlement and to dismiss, [Filing No. 33](#), and a stipulation, [Filing No. 34](#), filed by plaintiff, Imperial Beef, LLC ("Imperial Beef") and defendants John Boehs and Charlene Boehs (collectively, "the Boehs"), the Attebery Family Trust ("Attebery"), Chad Lundeen ("Lundeen"), defendants/cross-claimants Valley Bank and Trust Company and Wyoming State Bank (now known collectively with Valley Bank and Trust Company as Western States Bank or "WSB,"); and on WSB's motion for default judgment, [Filing No. 28](#).

Parties have shown that the disputes between them have been settled. The settlement renders the motion for default judgment filed by defendants/cross-claimants WSB moot.

Accordingly,

1. The motion for settlement and to dismiss ([Filing No. 33](#)) is granted.
2. Defendants/cross-claimants WSB's motion for default judgments ([Filing No. 28](#)) is denied as moot.
3. The settlement ([Filing No. 34](#)) is approved and incorporated herein by reference.
3. The plaintiff's claims against defendants John and Charlene Boehs, Attebery Family Trust, Chad Lundeen, and WSB are hereby dismissed, with prejudice, the parties to bear their own costs.
4. Defendant/cross-claimant WSB's cross claims against plaintiff Imperial Beef and defendants John and Charlene Boehs, The Attebery Family Trust, State of Nebraska, Thouvenel Harvesting, LLC, and Chad Lundeen are hereby dismissed, with prejudice, the parties to bear their own costs.

Dated this 19th day of October 2018.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge